

Appl. No. 10/813,046
Amdt. Dated Jan. 04, 2006
Reply to Office Action of Dec. 06, 2005

REMARKS/ARGUMENTS

Applicant's claims 1-13 stand rejected under 35 U.S.C. 102 as being anticipated by Filer or in the alternative anticipated by Keys. As presented herein, the Applicant has amended his claims in order to more clearly define over the prior art. The nosepiece anvil has been more clearly defined as adapted for supplying a compression force to the insert with which the tool is engaged. Furthermore, the threads of the mandrel have been more clearly defined as being helical and matching the internal threads of the insert. Also, claim 12 has been amended that the cylindrical wall portion of the spreading pin is engageable with the segments for locking them in an expanded state against inward radial forces. New claim 14 has been added to positively recite the combination of the tool and the insert fastener. No new matter has been added.

Claims 1-13 stand rejected under 35 U.S.C. 102(b) as being anticipated by Filer. It is well settled that a proper rejection under 35 U.S.C. 102(b) can only be made when the prior art includes each and every feature of the rejected claims. That is not the case here. Filer discloses a tube puller which fails to disclose all of the limitations of the Applicant's claims. Namely, the Applicant has claimed an anvil adapted for compression against the insert while Filer's does not (claims 1-13). Furthermore, Filer does not include a mandrel rod having helical threads (claims 1-13). Furthermore, the Filer expander does not include an axially movable spreading pin (claims 4-10 and 12). The Filer expander is stationary. And finally, the Filer expander does not include a portion engageable with the segments for locking them in their expanded state (claims 12 and 13). There are therefore multiple reasons why limitations in the Applicant's claims are not met by the

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Filer reference. It is therefore requested that the outstanding rejection of claims 1-13 as further amended being anticipated by Filer be reconsidered and withdrawn.

Claims 1-13 stand further rejected under 35 U.S.C. 102(b) as being anticipated by Keys. Like Filer, Keys merely discloses a tube pulling device which fails to meet the limitations of Applicant's amended claims. Like Filer, Keys does not disclose a mandrel rod assembly including helical threads but merely a plurality of non-helical sharp grippers to engage the smooth, unthreaded bore of the tube to be pulled. There is no teaching or suggestion in either Keys or Filer that these grippers could be helical threads which match the internal threads in the bore of the item to be pulled. Like Filer, the Keys anvil does not engage the tube to be pulled and the force of tension rather than compression is applied by the tool as claimed. Keys discloses an axially movable spreading pin, however the Keys spreading pin does not include any structures which provide a locking function to the mandrel rod segments as claimed. For these reasons, the limitations of the claims as amended are not met by the Keys reference and therefore it is respectfully requested that the Examiner reconsider the outstanding rejection under 35 U.S.C. 102(b) over Keys and that it be withdrawn.

Further regarding Keys and Filer, one of ordinary skill in the art would not be led in the direction of Applicant's novel tool as claimed with these references before him. The novel structures explained above with regard to the Keys and Filer references provide structural and functional differences which pose significantly different technical and engineering considerations. Hence, the claimed and novel combination would not be obvious to one of ordinary skill in the

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art.

New claim 14 has been added to positively recite the combination of the tool and fastener and includes all of the other limitations of claim 1 and is therefore patentable over the cited references for the same reasons explained above and is deemed allowable.

For the foregoing reasons, the outstanding rejections have been traversed and thus claims 1-14 as amended and added are now in condition for allowance.

Respectfully submitted,



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